



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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June 22, 2022

**VIA ECF**

Hon. Katherine Polk Failla  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square, Room 2103  
New York, New York 10007

**MEMO ENDORSED**

Re: *Abrams, et al. v. New York City Department of Education, et al.*,  
22-CV-02546 (KPF)(VF)

Dear Judge Failla:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel assigned to represent Defendants New York City Department of Education and its Chancellor David C. Banks in the above-captioned action. I write jointly with Plaintiffs' counsel to respectfully request that the Court adjourn the conference scheduled for June 28, 2022 *sine die*.

By way of background, Plaintiffs seek an award of attorneys' fees and payment in connection with six underlying orders issued at administrative proceedings held pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq*, for three student-plaintiffs. Since, the Department has implemented all six orders to the extent possible, with the exception of four \$100 tuition reimbursements and one transportation invoice that the Department has been waiting on Plaintiffs to provide necessary supporting documentation. The parties are working together to resolve the outstanding payment issues. As of today, Plaintiffs provided some of the necessary documentation. The parties are optimistic that the matter can be fully resolved without the Court's intervention, but additional time is needed for the Department to review the documentation and authorize and process the few remaining payments, and for the parties to negotiate fees. Accordingly, the parties respectfully request to adjourn the conference scheduled for June 28, 2022 *sine die* and propose to instead submit a joint status letter by July 28, 2022, to update the Court on the parties' progress towards a resolution.

This is the parties' first request to adjourn the court conference *sine die*. Ashleigh Rousseau, Esq., Plaintiffs' counsel, joins in the proposed request.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/ MKC  
Min Kyung Cho  
Assistant Corporation Counsel

cc: Ashleigh Rousseau, Esq.  
*Counsel for Plaintiffs*  
(via ECF)

Application GRANTED. The initial pretrial conference scheduled for June 28, 2022, is hereby ADJOURNED *sine die*. The parties shall submit a joint status letter concerning the parties' progress toward resolving this matter on or before July 28, 2022.

The Clerk of Court is directed to terminate the pending motion at docket entry 14.

Dated: June 23, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE